

VZCZCXRO3254  
RR RUEHCHI  
DE RUEHBK #2251/01 1130114  
ZNR UUUUU ZZH  
R 230114Z APR 07  
FM AMEMBASSY BANGKOK  
TO RUEHC/SECSTATE WASHDC 6378  
INFO RUEHHI/AMEMBASSY HANOI 5554  
RUEHVN/AMEMBASSY VIENTIANE 3573  
RUEHCHI/AMCONSUL CHIANG MAI 3455  
RUEHGV/USMISSION GENEVA 1812

UNCLAS SECTION 01 OF 02 BANGKOK 002251

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E.O. 12958: N/A

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SUBJECT: PETCHABOON HMONG PROPOSAL PRESENTED TO THAI

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Sensitive but unclassified. Please handle accordingly.

11. (SBU) Summary. UN and interested country Ambassadors on April 19 presented a multi-part proposal to address the Petchaboon Hmong situation to the Thai MFA PermSec. The PermSec expressed appreciation for the proposal which he said would be discussed at an upcoming senior-level RTG interagency meeting. The PermSec noted the Lao government sensitivity on the Hmong issue now in the aftermath of the incident involving 155 Hmong at Nong Khai. He said the RTG wanted to find a solution that would be acceptable to all parties but urged patience. End summary.

12. (SBU) On April 19, Ambassador, United Nations Resident Coordinator Marilyn-Scholtes, UNHCR Regional Representative Utkan, German Ambassador Bruemmer (for the EU Presidency), EC Ambassador Hamburger, and Swiss Charge Lauer met with MFA Permanent Secretary Virasakdi Futrakul to present a proposal on addressing the Petchaboon Hmong issue. The meeting had originally been requested with the Thai Prime Minister, but he delegated the meeting to the PermSec. The proposal (copy provided previously to PRM) contains four elements: profiling/screening of the 8,000 Hmong at Petchaboon, third country resettlement for those found to be refugees, repatriation to Laos in conditions of safety and dignity for those screened out, and humanitarian assistance while this process is ongoing.

13. (SBU) The UN Resident Coordinator introduced the proposal by explaining the UN system's interest in the Petchaboon situation and its earlier joint assessment mission to the Hmong site. She noted a recently signed general agreement between the UN and the RTG to assist vulnerable groups in Thailand. She urged the formation of a Thai-international community working group to discuss and operationalize the proposal, which had been discussed and agreed upon by the UN system and interested governments. She added that the UN also stood ready to help with assistance within Laos to repatriated Hmong. UNHCR's Utkan described the proposal in more detail. The Ambassador stated U.S. support for the proposal and welcomed the UN's and European involvement on the Petchaboon Hmong issue. The U.S. would do its fair share on resettlement and there might also be the possibility of some assistance. The Ambassador said the proposal offered a way to solve the Petchaboon problem and any solution would also require a joint effort with the RTG and the Lao government. The German and EC Ambassadors and the Swiss

Charge also stated their support for the proposal.

¶4. (SBU) Virasakdi responded that the RTG appreciated the offer of assistance from the international community. The RTG would soon hold a senior-level policy meeting to discuss the Petchaboon issue and he promised to relay the proposal and the comments just made. He said that the international community could "rest assured" that the RTG would continue to pursue a humanitarian policy on refugees and respect non-refoulement. At the same time, the RTG had to be mindful of its immigration laws under which those who crossed the Thai border without proper documentation were considered illegal immigrants. The RTG would seek a solution to the Petchaboon issue that was acceptable to all parties.

¶5. (SBU) Virasakdi said that the Thai-Lao border committee which met regularly to discuss border issues, including the Hmong, had been frozen since the incident involving the 155 Hmong held in detention at Nong Khai. He explained that the Lao government saw the granting of refugee status to Lao-Hmong as a political act. It was very concerned that this implied there was civil conflict in Laos which in turn could provide a pretext for international intervention. Whether or not this Lao fear was realistic was open to question, but it was how they thought. The Thai, Virasakdi said, were in constant dialogue with the Lao on the Hmong issue and had suggested solutions. The key was finding the right modality for screening. What is eventually agreed might not look like the Provincial Admissions Board screening system used for Burmese refugees, but the result would be the same.

¶6. (SBU) Virasakdi said the RTG's immediate objective was to move the Lao government back to its position prior to the Nong Khai incident, and in particular, its statement that it did not want to take back Hmong who did not voluntarily want to return. Virasakdi noted that the Lao government had also said it would guarantee the safety of returnees and allow some type of international monitoring. Virasakdi cautioned that this Thai effort, given current Lao sensitivities after the Nong Khai event, would take time. He asked for patience.

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He also said he would raise the idea within the Thai government of an international community-RTG working group to discuss the Petchaboon issue.

¶7. (SBU) Comment. Embassy will continue to follow up on this issue. While it appears that the Nong Khai incident will prevent immediate movement forward, it was worthwhile to make this constructive joint proposal to the Thai since it lays down markers on what will be acceptable to the international community and contains elements which could be part of an eventual solution.

BOYCE